

REMARKS/ARGUMENTS

Claims 1 - 17 are pending.

Claim 13 was rejected under 35 U.S.C. 112, Second paragraph in connection with the use of the phrase "world wide name".

Claims 1-5 and 10 were rejected under 35 U.S.C. 102(e) for allegedly being anticipated by Bachmat et al., U.S. Patent No. 6,711,649 B1.

Claims 6, 8, and 12-17 were rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over Bachmat et al. in view of Eggleston et al., PCT No. WO 97/22936.

Claims 7, 9, and 11 were rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over Bachmat et al. in view of Motohashi et al., U.S. Patent No. 5,946,670.

As to the Section 112 rejection of claim 13, it is noted that the phrase "world wide name" is a very well known term in fibre channel, and thus is readily understood by one of ordinary skill in the relevant art. It is also referred to by its acronym, "WWN". Generally, a WWN is a 64-bit address used in fibre channel networks to uniquely identify each element in a Fibre Channel network. Kindly refer, for example, to the website hosted by the SNIA (storage networking industry association):

<http://www.snia.org/education/dictionary/w/>

which provides a definition of WWN.

Therefore it is respectfully submitted that "world wide name" is a standard phrase in the relevant art, and as such its definition need not have been included in the specification. It is earnestly believed that the Section 112 rejection is therefore overcome.

The independent claims 1 and 12 have been amended to recite further aspects of the present invention. In particular, "each said accounting subject control unit, accounting data is generated using metered accounting or fixed accounting, depending on whether an upper limit is defined for either a number of accesses per unit time or a quantity of data transferred per unit of time." *Claim 1 (kindly see also claim 12).* As recited in claim 2, each accounting subject control unit can be "a host computer, a World Wide Name, a channel port, a storage device, or an in-storage-device area."

Bachmat et al. is related to load balancing among physical disk storage devices. *Abstract.* They collect statistics “to obtain access activity values for each block and each physical disk drive.” *Id.* By contrast, the present invention as recited in the pending claims includes generating accounting data, and in particular use either meter accounting or fixed accounting depending on whether an upper limit is defined for an accounting subject control unit. Bachmat et al. are not concerned with accounting, and though they teach collecting statistics to obtain access activity values, the statistics are not used to generate accounting data but rather are used for load balancing operations.

Moreover, Bachmat et al. collect statistics to obtain activity in data blocks and disk drives. By contrast, as recited in pending claim 2, an accounting subject control unit can be “a host computer, a World Wide Name, a channel port, a storage device, or an in-storage-device area.” Bachmat et al. therefore do not teach or even suggest the accounting system as recited in the pending claims.

Motohashi et al. disclose a data switching device that can inform a user of the charge incurred for a communication immediately after the communication is completed. *Col. 2, lines 30 - 34.* Motohashi et al. do not describe or suggest accounting subject control units in which for each such unit, “accounting data is generated using metered accounting or fixed accounting, depending on whether an upper limit is defined for either a number of accesses per unit time or a quantity of data transferred per unit of time.” *Claim 1.*

Eggelston et al. disclose techniques for monitoring and controlling the amount of communications between a remote unit and a communication server. *Pages 4 - 6.* Eggelston et al. do not describe or suggest accounting subject control units in which for each such unit, “accounting data is generated using metered accounting or fixed accounting, depending on whether an upper limit is defined for either a number of accesses per unit time or a quantity of data transferred per unit of time.” *Claim 1.*

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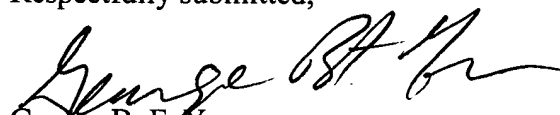
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CONCLUSION

In view of the foregoing, all claims now pending in this Application are believed to be in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY:cmm
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